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September 10, 2024

**VIA ECF**

Honorable Katherine Polk Failla, U.S. District Judge  
Thurgood Marshall  
United States Courthouse  
40 Foley Square  
New York, New York 10007

**MEMO ENDORSED**

Re: *Peleus Insurance Company v. Southwest Marine & General Insurance Company et al.*  
S.D.N.Y. Civil Case No.: 1:24-cv-01527-KPF  
Our File No. : LF 417.0567238

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Dear Judge Bloom:

Plaintiff, Peleus Insurance Company (“Peleus”) and Defendant, Southwest Marine and General Insurance Company (“Southwest”) respectfully request an adjournment of the Pretrial Conference scheduled for September 20, 2024 at 3:00 p.m. (See Dkt. 19) as Peleus’ counsel will be out of state. This is the first request to adjourn the Pretrial Conference and Southwest’s counsel is agreeable and consents to the adjournment. An adjournment of the Pretrial Conference would likely affect the time of submission of the Joint Letter due to the Court on September 12, 2024 (See Dkt. 19), but the parties can proceed with the filing of such letter on September 12<sup>th</sup>, if the Court so wishes.

Southwest further requests an adjournment because the parties will not be able to meet the current deadline for the completion of fact discovery, which was scheduled for September 20, 2024. Southwest served non-party subpoenas on Peleus’ insured Ridgeline Construction Associates, LLC (“Ridgeline”) to submit documents, information or objects and to testify at deposition in a civil action with return dates of September 4, 2024 and September 6, 2024, respectively. Southwest has recently received document responses from Ridgeline. Southwest is trying to schedule depositions this week but have been informed by counsel for Ridgeline that they do not have availability prior to September 20, 2024. This discovery is important as Peleus’ allegations in this action arise from a contract to which neither party to this action has any personal knowledge. Ridgeline is the drafter and party to the contract, so their documents and testimony regarding the contract are important to this litigation.

Due to the fact that the non-party deposition will not be completed by September 20 and in light of the pending request for an adjournment of the Pre-Trial Conference, the parties request that the Court adjourn the date for the completion of fact discovery 30 days.

We thank the Court for its time and continued assistance.

Respectfully submitted,

LONDON FISCHER LLP

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Application GRANTED. In light of representations made by the parties, the Court hereby ADJOURNS the discovery deadlines as follows:

- Depositions of fact witnesses shall be completed on or before October 21, 2024.
- Fact discovery shall be completed on or before October 21, 2024.

The parties do not contemplate expert discovery in this action so no expert discovery deadline will be set. (See Dkt. #19).

Accordingly, the Court hereby ADJOURNS the post-fact conference currently scheduled for September 20, 2024, to **October 31, 2024, at 11:00 a.m.**

The Clerk of Court is directed to terminate the pending motion at docket number 26.

Dated: September 11, 2024  
New York, New York

SO ORDERED.



HON. KATHERINE POLK FAILLA  
UNITED STATES DISTRICT JUDGE